

1 Jason D. Strabo (SBN 246426)
jstrabo@mwe.com
2 Jessica A. Mariani (SBN 280748)
jmariani@mwe.com
3 McDERMOTT WILL & EMERY LLP
2049 Century Park East, Suite 3800
4 Los Angeles, CA 90067-3218
Telephone: (310) 277 4110
5 Facsimile: (310) 277 4730

6 Jodi L. Benassi (SBN 309048)
jbenassi@mwe.com
7 McDERMOTT WILL & EMERY LLP
275 Middlefield Rd, Suite 100
8 Menlo Park, CA 94025
Telephone: 650-815-7400
9 Facsimile: 650-815-7401

10 Attorneys for Defendant
LEE KEITH BRETT
11

12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**
14

15 LFP IP, LLC,

16 Plaintiff,

17 v.

18 LEE KEITH BRETT,

19 Defendant.

CASE NO. 2:16-cv-00166

Hon. Frederick F. Mumm

**DEFENDANT LEE KEITH
BRETT'S AMENDED WITNESS
LIST**

20 Pretrial Conference: September 12, 2018

21 First Day of Trial: October 2, 2018

1 Pursuant to the Court's Civil Trial Order dated June 26, 2018, Defendant Lee
2 Keith Brett ("Defendant" or "Mr. Brett") respectfully submits the following
3 Amended Witness List:

4 1. Lee Keith Brett

5 Mr. Brett's expected testimony will concern the "American Hustler"
6 trademark, his company, and the pool industry.

7 2. James Harris

8 Mr. Harris' expected testimony will concern the use of the word "hustler" in
9 the pool industry and American Hustler clothing.

10 3. Larry Flynt

11 Mr. Flynt's expected testimony will concern the history and use of the
12 Hustler trademarks at issue in this action; the development of retail and apparel
13 brands; and the registration of other trademarks using the word "hustler" not owned
14 by Plaintiff.

15 4. Tina Ryoo*

16 Ms. Ryoo's expected testimony will concern the licensing, sales, and
17 distribution of Plaintiff's clothing; Hustler Hollywood; and use of the Hustler
18 trademarks at issue in this action.

19 5. Phillip Del Rio*

20 Mr. Del Rio's expected testimony will concern the retail sales and
21 distribution of Plaintiff's clothing; Hustler Hollywood; and use of the Hustler
22 trademarks at issue in this action.

23 6. Tony Cochi*

24 Mr. Cochi's expected testimony will concern Plaintiff's internet sales,
25 distribution, and licensing agreements; Hustler Hollywood; and use of the Hustler
26 trademarks at issue in this action.

1 Pursuant to Local Rule 16-5, witnesses designated with an * shall be called
2 only if the need arises. Defendant reserves the right to call additional witnesses not
3 named herein as necessary for rebuttal and/or impeachment, and otherwise reserves
4 the right to amend, add to, or withdraw witnesses from the foregoing list.

5 With the exception of Larry Flynt, Tina Ryoo, Phillip Del Rio, and Tony
6 Cochi, all of whom are believed to be employees or agents of Plaintiff, the
7 witnesses on this list may be contacted through counsel for Defendant.

8 Dated: August 22, 2018

9 Respectfully submitted,

10 McDERMOTT WILL & EMERY LLP

11 By: /s/ Jason D. Strabo
12 Jason D. Strabo
13 Attorneys for Defendant
14 LEE KEITH BRETT